

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1 (cancelled).

2 (currently amended). The method claimed in claim + 4, wherein the photographic image is a photographic negative film image, the maximum dark value is Dmin, and the step of determining the maximum dark value of the image capture system comprises scanning an interframe gap between frames on the film.

3 (currently amended). The method claimed in claim + 4, wherein the photographic image is a photographic negative film image, the maximum dark value is Dmin, and the step of determining the maximum dark value of the image capture system comprises using an identification code associated with the film that points to a Dmin value stored in a data base.

4 (currently amended). The method claimed in claim 1, A method for processing a photographic image captured by an image capture system, comprising the steps of:

a) determining a maximum dark value for the image capture system representing the response of the system to no light exposure;

b) generating an image processing path for processing the image prior to display on an output device, the image processing path having one or more image dependent image transforms, that upon processing the maximum dark value produces a processed maximum dark value that meets a predetermined criteria for darkness such that the “smokey black” problem is minimized; and

c) applying the image processing path to the photographic image to produce a processed photographic image;

wherein the step of generating an image processing path includes the steps of:

- a) providing a plurality of different processing paths;
- b) propagating the maximum dark value through the different processing paths; and
- c) choosing the processing path that produces the most desirable processed maximum dark value.

5 (currently amended). The method claimed in claim 4, wherein the step of generating ~~an~~ said image processing ~~path~~ paths includes the steps of:

- a) providing a base image processing path;
- b) ~~propagating the maximum dark value through the base image processing path;~~ and
- c) modifying one or more image transforms of the base image processing path based on the propagated maximum dark value to produce the ~~generated~~ other image processing ~~path~~ paths.

6 (new). The method claimed in claim 4 wherein said image has a plurality of color channels and said propagating the maximum dark value through the different processing paths further comprises determining a maximum dark value component as to each of said channels and setting the highest of said maximum dark value components as the maximum dark value of the respective said image processing path.

7 (new). A method for processing a photographic image captured by an image capture system, comprising the steps of:

 determining a maximum dark value for the image capture system representing the response of the system to no light exposure;

 generating a plurality of black level metrics using said maximum dark value, each said black level metric being associated with a respective one of a plurality of different image processing paths;

 selecting one of said plurality of different image processing paths based on said black level metrics, to provide a selected image processing path, said selected image processing path having one or more image dependent transforms,

said selected image processing path having a respective said black level metric that meets a predetermined criteria; and

 applying the image processing path to the photographic image to produce a processed photographic image.

8 (new). The method of claim 7 wherein said generating further comprises:

 subsampling said image to provide a low resolution copy; and propagating said copy along each of said image processing paths.

9 (new). The method of claim 7 wherein said determining step is based on metadata associated with said image.

10 (new). The method of claim 7 wherein said generating further comprises:

 providing said plurality of different image processing paths; propagating the maximum dark value through the different processing paths; and

 choosing the processing path that produces the most desirable processed maximum dark value.

11 (new). The method claimed in claim 10 wherein said image has a plurality of color channels and said propagating the maximum dark value through the different processing paths further comprises determining a maximum dark value component as to each of said channels and setting the highest of said maximum dark value components as the maximum dark value of the respective said image processing path.

12 (new). The method of claim 7 wherein said generating and selecting further comprise:

 providing a base image processing path; propagating the maximum dark value through the base image processing path; and

modifying one or more image transforms of the base image processing path based on the propagated maximum dark value to produce the other image processing paths.

13 (new). A method for processing a photographic image captured by an image capture system, comprising the steps of:

determining a maximum dark value for the image capture system representing the response of the system to no light exposure using metadata associated with said image;

generating a plurality of black level metrics using said metadata, each said black level metric being associated with a respective one of a plurality of different image processing paths;

selecting one of a plurality of different image processing paths to provide a selected image processing path, said selected image processing path having one or more image dependent transforms, said selected image processing path having a respective said black level metric that meets a predetermined criteria; and

applying the image processing path to the photographic image to produce a processed photographic image.

14 (new). The method of claim 13 wherein said generating is independent of content of said image.

15 (new). The method of claim 13 wherein said generating further comprises:

subsampling said image to provide a low resolution copy; and propagating said copy along each of said image processing paths.

16 (new). The method of claim 13 wherein said determining step is based on metadata associated with said image.

17 (new). The method of claim 13 wherein said generating further comprises:

providing said plurality of different image processing paths;

propagating the maximum dark value through the different processing paths; and

choosing the processing path that produces the most desirable processed maximum dark value.

18 (new). The method claimed in claim 13 wherein said image has a plurality of color channels and said propagating the maximum dark value through the different processing paths further comprises determining a maximum dark value component as to each of said channels and setting the highest of said maximum dark value components as the maximum dark value of the respective said image processing path.

19 (new). The method of claim 13 wherein said generating and selecting further comprise:

providing a base image processing path;
propagating the maximum dark value through the base image processing path; and
modifying one or more image transforms of the base image processing path based on the propagated maximum dark value to produce the other image processing paths.

20 (new). A system for processing a photographic image captured by an image capture system, comprising the steps of:

means for determining a maximum dark value for the image capture system representing the response of the system to no light exposure;
means for generating a plurality of black level metrics using said maximum dark value, each said black level metric being associated with a respective one of a plurality of different image processing paths;
means for selecting one of a plurality of different image processing paths based on said black level metrics, to provide a selected image processing path, said selected image processing path having one or more image dependent transforms, that upon processing the maximum dark value produces a processed maximum dark value that meets a predetermined criteria for darkness such that the "smoky dark" problem is minimized; and

means for applying the image processing path to the photographic image to produce a processed photographic image.

21 (new). The system of claim 7 wherein said means for generating and means for selecting further comprise:

means for providing a base image processing path;

means for propagating the maximum dark value through the base image processing path; and

means for modifying one or more image transforms of the base image processing path based on the propagated maximum dark value to produce the other image processing paths.